

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA, | : | |
| | : | <u>Notice of Motion</u> |
| | : | <u>for Severance and to</u> |
| — <i>versus</i> — | : | <u>Suppress Evidence</u> |
| | : | |
| | : | S1 07-cr-01160 (PKC) |
| ASHLEY DIXON, | : | |
| | : | |
| Defendant-Movant. | : | |
| ===== | : | |

PLEASE TAKE NOTICE that the above named defendant, ASHLEY DIXON, by and through his attorney Jeremy F. Orden, Esq., will move this Court before the Hon. P. Kevin Castel, United States District Judge, Southern District of New York, in the United States Courthouse at 500 Pearl Street, New York, NY, at a time that is convenient to the Court for an order

1. pursuant to Rule 12(b)(3)(D), and Rule 14(a) of the Federal Rules of Criminal Procedure severing the trial of the Defendant Dixon, from that of his co-defendant Christopher Sinclair,
2. pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure suppressing the firearm seized at the time of arrest,
3. pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure suppressing the narcotics seized at the time of arrest,
4. pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure suppressing the statement made to the police at the time of arrest, and
5. for such further relief as this Court shall deem just and proper.

Dated: New York, NY
August 19th, 2008

Yours, *etc.*,

/s/ *Jeremy F. Orden*

JEREMY F. ORDEN, ESQ.

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Tel.: (212) 406-4100

To: Hon. P. Kevin Castel
United States District Judge
Southern District of New York

Assistant U.S. Attorney Howard Master
Office of the U.S. Attorney, S.D.N.Y.